

## **REMARKS**

Claims 1, 2, 4-9, 16-17 and 19-33 are pending and under consideration in the above-identified application. Claims 3, 10-15 and 18 were previously cancelled and remain cancelled.

In the Office Action of April 14, 2009, Claims 1, 2, 4-9, 16-17 and 19-33 were rejected.

In this Amendment, Claims 1, 2, 4, 5, 8, 16, 17, 19, 23, 27, 30, 32 and 33 are amended.

No new matter has been introduced as a result of this Amendment.

### **I. 35 U.S.C. § 102 Anticipation and § 103 Obviousness Rejections of Claims**

Claims 1, 2, 4-8, 16, 17, 19-23 and 27-33 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Fox* (U.S. Patent No. 6,566,697).

Claims 9 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Fox*.

Claim 25 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Fox* in view of *Fossum* (U.S. Patent No. 6,624,456).

Claim 26 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Fox* in view of *Applicant Admitted Prior Art*.

In relevant part, each of the independent claims 1, 16, 27, 30, 32 and 33 now recite a driver configuration unit being configured such that after a transfer transistor transfers a signal charge from all photoelectric converting elements to a charge holding region an exposure time of the photoelectric converting element starts while the processing unit reads the signal charge from the pixel.

This is clearly unlike *Fox* which fails to disclose or even suggest a driver configuration unit being configured such that after a transfer transistor transfers a signal charge from all photoelectric converting elements to a charge holding region an exposure time of the photoelectric converting element starts while the processing unit reads the signal charge from the pixel. Instead, *Fox* discloses transferring the charge from a photodiode to a photo sensing area and then transferring the signal charge to a junction before starting the next exposure. See, U.S. Pat. No. 6,566,697, Col. 11, l. 4-14. This cannot fairly be viewed as starting an exposure time of a converting element after a transfer transistor transfers a signal charge to a charge holding region because *Fox* fails discloses reading transferring the signal charge from a photodiode to a photo sensing area before sending the signal charge to a junction.

*Fossum* and *AAPA* do not disclose anything pertaining to exposure time, much less a driver configuration unit being configured such that after a transfer transistor transfers a signal

charge from all photoelectric converting elements to a charge holding region an exposure time of the photoelectric converting element starts while the processing unit reads the signal charge from the pixel.

As the Applicant's specification teaches, by providing a driver configuration unit being configured such that after a transfer transistor transfers a signal charge from all photoelectric converting elements to a charge holding region an exposure time of the photoelectric converting element starts while the processing unit reads the signal charge from the pixel, a sensitive preferred image output is produced while exposure time and light noise is reduced. See, U.S. Pat. Pub. No. 2004/0130757, Para. [0129]-[0130].

Therefore, because *Fox*, *Fossum*, *AAPA* or any possible combination of them fails to disclose or even fairly suggest every feature of claims 1, 16, 27, 30, 32 and 33, the rejection of claims 1, 16, 27, 30, 32 and 33 cannot stand. Because claims 2, 4-9, 17 and 19-26, 31 depend, either directly or indirectly, from claims 1, 16, 27, 30, 32 and 33, they are allowable for at least the same reasons.

**II. Conclusion**

In view of the above amendments and remarks, Applicant submits that the claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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